REMARKS

The Examiner has required restriction of the above-identified application as follows:

Group I. Claims 1-7, drawn to a method for identifying neoplasia responsive to treatment using a compound, classified in class 435, subclass 41;

Group II. Claims 8-12, drawn to a method for identifying neoplasia from a patient responsive to treatment by an immunoreaction, classified in class 435, subclass 7.23; and

Group III. Claims 13-16, drawn to a method for identifying neoplasia from a patient responsive to a treatment using hybridization assays, classified in class 435, subclass 6.

Applicants have elected, with traverse, Group I, Claims 1-7.

Restriction is proper only when the restricted inventions are independent or distinct and search and examination of the entire application presents a serious burden on the Examiner. The burden is on the Examiner to provide reasons and/or examples in support of restriction. (M.P.E.P. 803).

Applicants respectfully traverse the restriction requirement on the grounds that the Examiner has failed to meet the burden of providing a reason and/or example in support of the restriction requirement. Further, the Examiner has not shown that it would be unduly burdensome to search the entire application.

The Examiner asserts that the inventions I-III are distinct, unrelated, and have different modes of operation, different functions, or different effects. Applicants respectfully disagree. Applicants would like to draw the Examiner's attention to the fact that all of the claims in the above-identified application, the claims of Groups I, II, and III, are directed to methods of identifying neoplasias responsive to treatment with a compound Although the claims of Group II, claims 8-12, are directed to a method of identifying neoplasias through the use of an antibody, and the claims of Group III, claims 13-16, are directed to a method of identifying neoplasias through the use of hybridization techniques, all of these claims are directed to identification of neoplasias responsive to treatment with a compound.

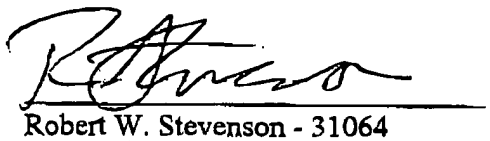
Applicants submit that a single search regarding the cGMP-specific PDE target in neoplastic cells will yield all of the art related to the methods of identifying neoplasias

responsive to treatment with the compounds disclosed in the present application. Therefore, Applicants submit that for the methods claimed, only a single search would be required for the claims in Groups I-III.

Although the Examiner required restriction into three (3) groups of claims, the Examiner stated that the "inventions of Group III and IV are materially distinct." Applicants request clarification regarding the Examiner's comments relating to Group IV.

Applicants respectfully submit that the restriction requirement is improper, and request that the Examiner reconsider and withdraw the restriction requirement.

Respectfully submitted,



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